

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-7, 9-21, 23-28, 43-52, and 54-57 are pending in this application, Claims 1, 15, 43-52, and 54-56 having been currently amended. Support for amended Claims 1, 15, 43-52, and 54-56 can be found in the original claims, drawings, and specification as filed.¹ No new matter has been added.

In the outstanding Office Action, Claims 43-52 and 54-56 were rejected under 35 U.S.C. §101; Claims 1-4, 7, 9-18, 21, 23-28, 43-46, 49, 51-52, and 54-56 were rejected under 35 U.S.C. §103(a) as unpatentable over Moffatt (U.S. Patent Publication No. 2003/0214664) in view of Jeoung (U.S. Patent Publication No. 2001/0003097); and Claims 5-6, 19-20, 47-48, 50, and 57 were rejected under 35 U.S.C. §103(a) as unpatentable over Moffatt in view of Jeoung and Ikegami (U.S. Patent No. 6,745,334).

In response to the rejection of Claims 43-52 and 54-56 under 35 U.S.C. §101, Applicants have amended these claims to recite “non-transitory,” as suggested by the outstanding Office Action at page 3. Applicants note that Claims 43-52 and 54-56 have been amended to comply with Director Kappos’ memo of January 27, 2010 which stated that the subject matter eligibility of a computer readable medium may be secured by excluding signal based embodiments described in the specification. To this end, Applicants have adopted the language “non-transitory” as suggested in the memo to address U.S. Patent and Trademark Office formalities only. More specifically, it is noted that the recitation of “non-transitory” is a limitation of the medium itself (i.e., tangible, not a signal) as opposed to a limitation on data storage persistency (e.g., RAM versus ROM). Applicants note that the recitation of “non-transitory” is only intended to exclude signals from the claimed media.

¹ See pages 32-34 of the specification.

Accordingly, Applicants respectfully request that the rejection of Claims 43-52 and 54-56 under 35 U.S.C. §101 be withdrawn.

In response to the rejection of Claims 1-4, 7, 9-18, 21, 23-28, 43-46, 49, 51-52, and 54-56 under 35 U.S.C. §103(a) as unpatentable over Moffatt in view of Jeoung, Applicants respectfully submit that amended independent Claim 1 recites novel features clearly not taught or rendered obvious by the applied references.

Independent Claim 1 is directed to an image forming apparatus including, *inter alia*:

...a displaying part configured to display a screen used for selecting an application program on an operation display part of the image forming apparatus; and

an assigning part configured to assign a selected application program that is selected on the screen to a function key when the function key is pushed, such that the selected application program is executed when the function key is later pushed after assigning of the selected application program has occurred;

a control part configured to launch the application program assigned to the function key when the function key is pushed;

a determination part configured to determine whether the function key is assigned a plurality of application programs or a single application program;

if the determination part determines that a plurality of application programs are assigned to the function key and when the function key is pushed, the control part being configured to display a selection screen on the operation panel, for selecting an application program from among the plurality of application programs assigned to the function key, and launch an application program selected on the selection screen; and

if the determination part determines that a single application program is assigned to the function key, the control part being configured to launch the single application program without displaying the selection screen when the function key is pushed; and

a screen switching unit configured to switch a screen displayed on the operation display part to a screen of an

application program that is selected on the selection screen or selected by pushing the function key.

Independent Claims 15 and 43 recite substantially similar features as independent Claim 1. Thus, the arguments presented below with respect to Claim 1 are also applicable to independent Claims 15 and 43.

Moffatt is directed to a printing device that has a programmable function key that can be reprogrammed with user-defined functions. In Moffatt, a controller controls the operation of the printer such that an updated functional sequence is performed upon detection of an activation of the function key.² However, Applicants respectfully submit that Moffatt fails to teach or suggest “a determination part configured to determine whether the function key is assigned a plurality of application programs or a single application program,” as recited in Applicants’ Claim 1.

Page 5 of the outstanding Office Action asserts that Moffatt describes the above recited features of Claim 1, and states:

a determination part configured to determine whether the function key is assigned a plurality of application programs or a single application program. **(Section 0030, lines 3-9-thus the printer controller determines if the assigned and stored function is a single or sequence (Plurality) of functions when the function is read out of the memory to performed)**

Applicants respectfully disagree. Paragraph [0030] of Moffatt does not describe that the printer controller **determines** if the assigned and stored function is a single or sequence of functions as asserted but instead merely describes that the assigned functionality **may be** a single function or sequence of functions that are to be defined in a defined order. Paragraph [0030] of Moffatt does not describe that a determining part **determines** whether the function key is assigned a plurality of application programs or single application program. That is, in

² See paragraph [0007] of Moffatt.

Moffatt, it is merely described that multiple sequence functions can be defined to a programmable key.

In addition, page 5 of the outstanding Office Action also asserts that paragraph [0030] of Moffatt describes that “if the determination part determines that a plurality of application programs are assigned to the function key and when the function key is pushed, the control part being configured to display a selection screen on the operation panel, for selecting an application program from among the plurality of application programs assigned to the function key, and launch an application program selected on the selection screen,” as recited in Applicants’ Claim 1.

As described above, Moffatt merely describes that a sequence of functions can be assigned to a programmable key, but does not describe that when the programmable key is pushed, a determination part determines that a plurality of application programs are assigned to the programmed key, a selection screen on an operation panel is displayed for selecting an application program from among a plurality of application programs assigned to the programmable key, and the selected application program is launched. Further, Moffatt fails to teach or suggest “a screen switching unit configured to switch a screen displayed on the operation display part to a screen of an application program that is selected on the selection screen or is selected by pushing the function key,” as recited in Applicants’ Claim 1. Moffatt does not explicitly describe that a display screen of the selected application program is displayed after the programmed key is pushed.

Thus, Applicants respectfully submit that amended independent Claims 1, 15, and 43 (and all claims depending thereon) patentably distinguish over Moffatt.

Page 6 of the outstanding Office Action acknowledges that “Moffatt is silent about if the sequence of functions which are assigned and stored are displayed before the functions are performed and if the control part is configured to display and perform a selection screen

on the operation panel.” In an attempt to cure the above-noted deficiencies of Moffatt, page 6 of the outstanding Office Action cites paragraph [0023] of Jeoung. Paragraph [0026] of Jeoung describes that a single hot key can be assigned to more than one function and that multiple menu items can be displayed for the user to select one of the functions assigned to the hot key. Paragraph [0026] of Jeoung also describes that if a user presses the down key during an idle state, the mobile phone displays all the menu items linked as shown in Figure 4B, so that the user may select one of them. However, Jeoung does not describe that after a user selects one of the functions shown in Figure 4B, a selected application program is launched, and a screen switching unit switches a screen displayed on an operation display part of an image forming apparatus to a screen of the selected application program, as recited in Applicants’ Claim 1.

Further, Applicants note that Jeoung is directed towards defining short keys used to select functions of a communication terminal such as a mobile phone, and thus is not directed towards an image forming apparatus including a plurality of application programs including at least one of a copy application program, a printer application program, and a fax application program. Thus, Applicants respectfully submit that one of ordinary skill in the art would not be motivated to combine the printing device of Moffatt with the communication terminal of Jeoung.

Accordingly, Applicants respectfully request the rejection of Claims 1-4, 7, 9-18, 21, 23-28, 43-46, 49, 51-52, and 54-56 under 35 U.S.C. §103(a) as unpatentable over Moffatt in view of Jeoung be withdrawn.

In regard to the rejection of Claims 5-6, 9-20, 47-48, 50, and 57 under 35 U.S.C. §103(a) as unpatentable over Moffatt in view of Jeoung and Ikegami, Applicants note that the above listed claims are dependent on independent Claims 1, 15, and 43, and are thus believed

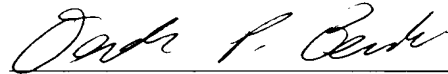
to be patentable for at least the reasons discussed above. Further, Applicants note that Ikegami fails to cure any of the above-noted deficiencies of Moffatt and Jeoung.

Accordingly, Applicants respectfully request that the rejection of Claims 5-6, 19-20, 47-48, 50, and 57 under 35 U.S.C. §103(a) be withdrawn.

Consequently, in view of the present amendment, and in light of the above discussion, the pending claims as presented herewith are believed to be in condition for formal allowance, and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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